NO.999 P.2

FEB. 23. 2000 2:54PM LERNER, DAVID, LITTENB

PATENT **ROSE 3.0-036 CIP IV**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hiaft, et al

Appln. No. 08/486,536

Filed: June 7, 1995

For: 3' PROTECTED NUCLEOTIDES FOR ENZYME CATALYZED TEMPLATE-... Group Art Unit: 1623

: Examiner: J.O. Wilson

: Dated: February 23, 2000

Assistant Commissioner For Patents

Washington, D.C. 20231

COMMUNICATION

X

Sir:

Applicant respectfully requests that the reference listed on the enclosed Form PTO-1449 be made of record and considered with respect to the above-referenced U.S. patent application. This reference originally was included with the Information Disclosure Statement filed February 26, 1999; however, the reference was not considered by the Examiner because no date was provided on the original Form PTO-1449. The reference was considered by the Examiner in related Application Serial No. 08/300,484 on May 12, 1999. The undersigned wishes to thank the Examiner for his assistance in this matter.

Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Thomas M. Palisi, Esq.

February 23, 2000

Date

To: U.S.P.T.O.

Attn: Examiner J. Wilson

Signature .

Fax No.: (703) 308-4556

No. of Pages:

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In the event that any fee is due in connection with this Communication, the same should be charged to Deposit Account No. 12-1095.

Respectfully submitted,

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK

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